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# NASA Procedural Requirements

**NPR 5101.33A**

Effective Date: May 19, 2000

Expiration Date: May 19, 2010

**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

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**Subject: Procurement Advocacy Programs w/Change 2 (10/04/04), Revalidated 2/25/05****Responsible Office: Procurement Operations Division**

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## Chapter 1. NASA Ombudsmen

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### 1.1 Goal

The Procurement Ombudsman Program establishes a more open acquisition process by facilitating communication on an informal basis between NASA and parties outside the Government. For additional information see NFS 1815.70.

### 1.2 The Agency Procurement Ombudsman's Responsibilities:

1.2.1 The Agency Procurement Ombudsman, designated in NPD 5101.32, will take action to resolve concerns, disagreements, and recommendations submitted by interested parties that cannot be resolved at the Center level, or those having Agencywide implications;

1.2.2 refer Center-specific issues to the appropriate Center Procurement Ombudsman for action; and

1.2.3 periodically communicate with Center Procurement Ombudsmen on common Agencywide issues and refer those issues to the appropriate office for action.

### 1.3 Additional Agency and Center Procurement Ombudsmen's Responsibilities:

1.3.1 Serving as Agency representatives to facilitate communications between NASA and interested parties (e.g., offerors, potential offerors, contractors, and industry representatives) in the resolution of matters arising during the preaward and postaward phases of a procurement. Additionally, interested parties may provide recommendations on the way NASA can improve its acquisition process. However, interested parties must try to resolve their concerns with the contracting officer before consulting with an Procurement Ombudsman.

1.3.2 Listening to concerns about specific issues and working with the appropriate persons within NASA to resolve those concerns before they become major problems.

1.3.3 Reviewing complaints relative to multiple-award task and delivery order contracts, awarded under 10 U.S.C. 2304a(d)(1)(B) or 2304b(e), to ensure that all contractors are afforded a fair opportunity to be considered.

1.3.4 Collecting all relevant facts to resolve issues raised by interested parties. Collection of source selection and proprietary information will be coordinated with the contracting officer or, if appropriate, the Source Evaluation Board (SEB) chairperson. Procurement Ombudsmen are granted access on a class basis to source selection and proprietary information under NFS Subpart 1803.104-5(a)(x) and will comply with the requirements in FAR 3.104-5 and 15.201(f). Information shall be obtained from officials responsible for the Freedom of Information Act prior to the release of Agency records.

1.3.5 Maintaining a log to track individual cases from receipt to disposition. Names will not be recorded in the log if anonymity is requested by the interested party.

1.3.6 The role of the Procurement Ombudsman will not diminish the authority of the contracting officer, Source Evaluation Board, or Source Selection Authority. The Procurement Ombudsman Program does not replace the FAR contract protest or disputes processes. Moreover, communications with an Procurement Ombudsman do not affect time limits for filing a protest or appealing a contracting officer's final decision as described in FAR Part 33.

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